

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ADELPHIA RECOVERY TRUST,	:	
	:	Adversary Proceeding
Plaintiff,	:	
vs.	:	No. 05 Civ. 9050 (LMM)
BANK OF AMERICA, N.A., <i>et al.</i> ,	:	
	:	<u>NOTICE OF MOTION</u>
Defendants.	:	

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PLEASE TAKE NOTICE that, upon the Memorandum of Law in Support of the Bank Defendants' Motion to Compel the Production of Documents (the "MOL"), the Affidavit of Jean-Marie L. Atamian that accompanies this Notice and the exhibits annexed thereto, and all papers and pleadings previously filed herein, the Bank Defendants,¹ by their respective counsel, will move this Court at the United States Courthouse, 500 Pearl Street, New York, New York, before the Honorable Lawrence M. McKenna, United States District Judge, (i) for an Order pursuant to Rule 37 of the Federal Rules of Civil Procedure and Rule 37.2 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York granting the Bank Defendants' motion, and (ii) for such other and further relief as this Court deems just and proper.

Dated: June 30, 2008
New York, New York

Respectfully submitted,

MAYER BROWN LLP

By: s/Jean-Marie L. Atamian
Robert F. Finke
Jean-Marie L. Atamian

¹ The "Bank Defendants" are identified on page 1 of the MOL.

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